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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**

+ W.P.(C) 708/2016

RAJENDRA HEERA CHANDAN

..... Petitioner

Through Mr.Saurabh Bhargavan, Advocate.

versus

UNION OF INDIA

..... Respondent

Through Mr.Jasmeet Singh, CGSC with
Ms.Astha Sharma, Advocate for UOI.

CORAM:

HON'BLE MR. JUSTICE MANMOHAN

ORDER

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29.01.2016

Present writ petition has been filed challenging the order dated 24th September, 2015 issued by respondent whereby petitioner's application for renewal of the certificate of practice as Notary was refused on the ground that petitioner had not applied for renewal within a period of six months of expiry of validity of the certificate as required under Rule 8B of the Notaries Rules, 1956.

Petitioner also seeks condonation of delay of 26 days in filing the application for renewal of certificate of practice as Notary Public.

Learned counsel for petitioner states that on 13th April, 2015, he filed his application for renewal of certificate of practice as Notary and in his application he had given the reason for the delay, i.e., sickness of his wife, but the respondent has not considered the said reason.

Learned counsel for the petitioner states that the controversy in

the present petition is covered by a judgment and order passed by this Court in *Neelam Sharma Vs. Union of India, 2015 Law Suit (Del) 4230*.

Learned counsel for respondent admits the fact that the present matter is covered by the aforesaid judgment and order.

Consequently, it is deemed appropriate to dispose of this petition with a direction to the respondent to consider the application of the petitioner for renewal of licence, after considering the reasons given by the petitioner for the delay in applying for renewal as also the reasons / grounds, if any for otherwise denying the renewal to the petitioner.

Accordingly, the petition is disposed of with the following directions:

- (i) The petitioner, if so desire, may within 10 days hereof submit more particulars / documents in support of his explanation for the delay in applying for renewal.
- (ii) The respondent shall thereafter, within six weeks of the receipt of such further documents from the petitioner, consider the grounds given by the petitioner for condonation of delay in applying for renewal and shall take a reasoned decision thereon.
- (iii) The respondent, if of the opinion that the petitioner is to be denied the renewal for any other reason, would, after notifying the petitioner of the said reason and after giving the petitioner an opportunity of being heard thereon within the subject period of six weeks, shall pass a reasoned order within a period of three months from today.

(iv) Needless to state that if the petitioner remains aggrieved, shall have his remedies.

Order *dasti*.

MANMOHAN, J

JANUARY 29, 2016
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